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Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: Honorable, ALLAN B. WEISS IAS PART 2
Justice

BENJAMIN PLAZA, JR.,

Plaintiff,

-against-

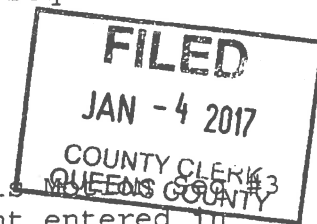
MICHAEL HEILBRON,

Defendant.

Index No: 4417/11

Motion Date: 9/15/16
10/6/16

Motion Seq. No.: 3 & 4



The following papers numbered 1 to 14 read on this motion by defendant staying the execution of the judgment entered in this action on November 18, 2009 and Motion Seq.#4 by plaintiff for an extension of time to submit opposition to the defendant's motion.

PAPERS
NUMBERED

Seq.#3 Order to Show Cause-Affidavits-Exhibits ...	1 - 7
Seq.#4 Order to Show Cause-Affidavits-Exhibits ...	8 - 12
Answering Affidavits-Exhibits.....	13 - 14
Replying Affidavits.....	

Upon the foregoing papers it is ordered that these motions are determined as follows.

The plaintiff's motion for an extension of time to submit opposition to the defendant's motion is granted.

The defendant's motion to vacate the default judgment entered on November 18, 2009 is denied. The affidavit of the defendant Michael Heilbron sworn to on August 29, 2016 does not set forth a reasonable excuse for his default in appearing nor a meritorious defense to the action.

The stay contained in the Order to Show Cause dated August 3, 2016 is vacated.

Dated: December 5, 2016
D# 54

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J.S.C.